



House of Representatives

General Assembly

File No. 480

February Session, 2004

Substitute House Bill No. 5181

House of Representatives, April 6, 2004

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PENALTY FOR TRESPASS UPON CERTAIN STATE PROPERTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4b-11 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The board of trustees of each state institution shall have the
4 supervision, care and control of all property used in connection with
5 such institution; the Commissioner of Public Safety shall have the
6 supervision, care and control of all property used in connection with
7 the Division of State Police and the Division of Fire, Emergency and
8 Building Services within the Department of Public Safety located
9 outside the city of Hartford; the Joint Committee on Legislative
10 Management of the General Assembly shall have the supervision, care
11 and control of the State Capitol building and grounds, the Legislative
12 Office Building and parking garage and grounds and related
13 structures and facilities; the Office of the Chief Court Administrator

14 shall have the supervision, care and control of all property where the
 15 Judicial Department is the primary occupant and of the building and
 16 grounds of the State Library and Supreme Court and shall establish
 17 policies and procedures governing such supervision, care and control.
 18 For the purposes of this section, the term "Judicial Department" does
 19 not include the courts of probate, the Division of Criminal Justice and
 20 the Public Defender Services Commission, except where they share
 21 facilities in state-maintained courts. Such board of trustees and said
 22 commissioner may make regulations for the maintenance of order on,
 23 and the safeguarding and use of, any such property, subject to the
 24 direction and supervision of the Commissioner of Public Works. Any
 25 person who trespasses upon such property [or who violates any of the
 26 regulations concerning the use of such property shall be fined not
 27 more than one hundred dollars or imprisoned not more than three
 28 months or both] shall be prosecuted for criminal trespass pursuant to
 29 section 53a-109. Any person who violates any regulation concerning
 30 the use of such property shall be fined not more than five hundred
 31 dollars or imprisoned not more than three months, or both.

This act shall take effect as follows:	
Section 1	from passage

GAE *Joint Favorable Subst. C/R*

JUD

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Resources of the General Fund	GF - Revenue Gain	Less than 5,000	Less than 5,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill increases the criminal penalty for trespass upon certain state property. Specifically, it increases the maximum fine that may be imposed from \$100 to \$500. Any revenue gain from this increase would be minimal (estimated to be less than \$5,000 annually) since there are few offenses under current law. There were no offenses under CGS Section 4b-11 filed with the Superior Court in FY 02 or FY 03.

OLR Bill Analysis

sHB 5181

***AN ACT CONCERNING THE PENALTY FOR TRESPASS UPON
CERTAIN STATE PROPERTY*****SUMMARY:**

This bill makes the fine for trespassing on all state property the same, \$500. It does this by increasing, from \$100 to \$500, the fine for trespassing on land under the care and control of the Department of Public Safety, Legislative Management Committee, chief court administrator, and the board of trustees of state institutions. The bill also increases, from \$100 to \$500, the maximum fine for violating any regulation on the use of state property. People found guilty of either offense continue to be subject to up to three-months imprisonment or both the fine and imprisonment.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute Change of Reference

Yea 17 Nay 0

Judiciary Committee

Joint Favorable Report

Yea 42 Nay 0